

ALLEGED SHIPMENT: On or about December 12 and 30, 1946, by the Chef-King's Food Products Co., from Anniston, Ala.

PRODUCT: 314 cases, each containing 12 1-pint jars, of mayonnaise at Macon, Ga.

LABEL, IN PART: "One Pint Chef-King's Brand Mayonnaise."

NATURE OF CHARGE: Misbranding, Section 403 (e) (2), the label of the article failed to contain an accurate statement of the quantity of contents, since the label statement "One Pint" was inaccurate. (The product was short-volume.)

DISPOSITION: April 28, 1947. Cantrall Churngold Products Company, Macon, Ga., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond, conditioned that it be relabeled to show the correct volume of the container, under the supervision of the Federal Security Agency.

12392. Misbranding of french dressing. U. S. v. 94 Cases * * *. (F. D. C. No. 22649. Sample No. 73505-H.)

LIBEL FILED: March 20, 1947, Northern District of Ohio.

ALLEGED SHIPMENT: On or about November 20, 1946, by the Montell Co., Inc., from Cambridge, Md.

PRODUCT: 94 cases, each containing 48 bottles, of french dressing at Cleveland, Ohio. Examination showed that the product was short-volume.

LABEL, IN PART: "Montell Brand French Dressing—Contents 6 Fluid Ozs."

NATURE OF CHARGE: Misbranding, Section 403 (e) (2), the label of the article failed to bear an accurate statement of the quantity of contents.

DISPOSITION: April 10, 1947. The Montell Co., Inc., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond, conditioned that the bottles be repacked, refilled, and properly labeled, under the supervision of the Food and Drug Administration.

12393. Adulteration of salad dressing. U. S. v. 2,047 Cases * * *. (F. D. C. No. 23524. Sample No. 74027-H.)

LIBEL FILED: July 28, 1947, District of Massachusetts.

ALLEGED SHIPMENT: On or about April 25 and May 7, 1947, by Reid, Murdoch & Co., from Los Angeles, Calif., and Baltimore, Md. These were return shipments.

PRODUCT: 2,047 cases, each containing 24 8-ounce jars, of salad dressing at Quincy, Mass.

LABEL, IN PART: "Yacht Club * * * Salad Dressing."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance by reason of being rancid.

DISPOSITION: October 6, 1947. Default decree of condemnation and destruction.

12394. Adulteration of salad dressing. U. S. v. 105 Pint Jars, etc. (F. D. C. No. 22815. Sample No. 77427-H.)

LIBEL FILED: April 3, 1947, Southern District of Illinois.

ALLEGED SHIPMENT: On or about March 6 and 13, 1947, by Beck's Mayonnaise Products, from Davenport, Iowa.

PRODUCT: 105 pint jars and 21 quart jars of salad dressing at Rock Island, Ill.

LABEL, IN PART: "Beck's Pure U. S. P. Mineral Oil Non-Nutritive Dressing for Salads".

NATURE OF CHARGE: Adulteration, Section 402 (a) (1), the article contained added mineral oil, a deleterious substance, which might have rendered it injurious to health.

DISPOSITION: April 29, 1947. Default decree of condemnation and destruction.

12395. Misbranding of shortening. U. S. v. 10 Cases * * *. (F. D. C. No. 23138. Sample No. 54847-H.)

LIBEL FILED: May 21, 1947, Southern District of Georgia.

ALLEGED SHIPMENT: On or about March 13, 1947, by the Lookout Oil and Refining Co., from Jacksonville, Fla.

PRODUCT: 10 cases, each containing 48 cartons, of vegetable shortening at Savannah, Ga.

LABEL, IN PART: "One Pound Net Domino Shortening."

NATURE OF CHARGE: Misbranding, Section 403 (e) (2), the label of the article failed to contain an accurate statement of the quantity of contents. (The product was short-weight.)

DISPOSITION: June 17, 1947. No claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to a charitable institution.

MISCELLANEOUS FOOD PRODUCTS

12396. Misbranding of gelatin dessert powder. U. S. v. 35 Cases * * *. (F. D. C. No. 22660. Sample Nos. 52497-H, 52498-H.)

LIBEL FILED: February 28, 1947, Southern District of Ohio.

ALLEGED SHIPMENT: On or about February 6, 1947, by the Midwest Food Distributing Co., from Chicago, Ill.

PRODUCT: 35 cases of gelatin dessert powder at Cincinnati, Ohio. Each case contained 48 1½- or 3-ounce packages of the product.

LABEL, IN PART: "Carmel Kosher Gel-Dessert."

NATURE OF CHARGE: Misbranding, (1½-ounce size) Section 403 (a), the label designation "Gel-Dessert" was misleading, since the label failed to reveal, with equal conspicuousness, that the purchaser must supply the sugar in order to make a finished dessert; Section 403 (d), (both sizes) the containers of the articles were so filled as to be misleading since the packages of 1½-ounce size could have held over twice the amount, and the packages of 3-ounce size could have held almost twice the amount, of gelatin dessert powder contained therein and both size packages appeared to hold more of the product than was contained in them; and, Section 403 (k), (both sizes) the article contained artificial coloring and failed to bear labeling stating that fact, since the statement "U. S. Certified Fruit Colors" was not a declaration of the presence of artificial color. The colors used were not derived from fruit but were coal-tar colors.

DISPOSITION: April 28, 1947. Default decree of condemnation. Product ordered delivered to a charitable institution.

12397. Adulteration of bubble gum. U. S. v. 25 Boxes * * *. (F. D. C. No. 23403. Sample No. 71557-H.)

LIBEL FILED: August 8, 1947, Southern District of California.

ALLEGED SHIPMENT: On or about April 15 and May 5, 1947, by Andrew J. Paris Import Sales Co., from McAllen, Tex.

PRODUCT: 25 boxes, each containing 120 pieces, of bubble gum at Oceanside, Calif.

LABEL, IN PART: "Paris Bubble Gum * * * Made in Mexico."

NATURE OF CHARGE: Adulteration, Section 402 (c), the product contained D&C Red No. 19, a coal-tar color that had not been listed for use in food in accordance with the regulations, and was other than one from a batch that had been certified.

DISPOSITION: October 24, 1947. Default decree of condemnation and destruction.

12398. Adulteration and misbranding of coal-tar color. U. S. v. 2 Cans * * *. (F. D. C. No. 22922. Sample No. 64677-H.)

LIBEL FILED: April 14, 1947, Southern District of New York.

ALLEGED SHIPMENT: On or about February 7, 1947, by the Bates Chemical Company, from Lansdowne, Pa.

PRODUCT: 2 25-pound cans of coal-tar color at New York, N. Y.

LABEL, IN PART: "FD&C Red #1 (Ponceau 3R) Lot No. C4673."

NATURE OF CHARGE: Adulteration, Section 402 (c), the article contained a coal-tar color other than one from a batch that had been certified in accordance with regulations.

Misbranding, Section 403 (a), the label statements "Lot No. C4673 * * * This Certified Dye * * * Certified Food Colors" were false and mislead-